

January 11, 2021
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on January 11, 2021, at 2:00 p.m., telephonically, pursuant to and in accordance with the Governor's disaster declaration, and pursuant to notice duly given as required by law. Present were Ronaldo Garcia, Randall McMurray, and Matthew McCarthy, Directors; Sonia Lambert, Manager; Jack Brown, Engineer; Freddie Ortega, Drain Supervisor; and B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes. The Minutes of the November 9, 2020 meeting will be presented at the next Board meeting. It was noted that no meeting was held in December 2020.
2. Public Comment Period. No one appeared. No written comments were received.
3. Subdivisions.
 - 3.1 MJE Rodriguez Subdivision, being 2.25 acres of land out of Block 80, Espiritu Santo Irrigated Land Company Subdivision. Final plat not presented. No action.
 - 3.2 Liberty Estates Phase II, being an 8.53 acre tract of land comprised of 0.08 acre out of Block 12, 4.66 acres out of Block 5, and 3.79 acres out of Block 6, all in Cunningham's Subdivision [Volume 1, Page 43, Map Records], said Cunningham's Subdivision being out of Block 35, San Benito Land & Water Company Subdivision [Volume 1, Page 6, Map Records]. The contractor is cleaning the drain to be conveyed by Cameron County Irrigation District No. 2 to the Drainage District. A discussion was had about lot owners of Phase I not having removed encroachment from the right-of-way. It was noted that removal of the encroachments is the responsibility of the developer of Phase II. No action.
 - 3.3 Perales Farms Subdivision, being 1.0 acre out of a 2.0 acre tract out of a 5.0 acre tract out of Block 65, San Benito Land & Water Company Subdivision (Vol. 1, Pg. 6, Map Records of Cameron County, Texas). Owners: Josue Peralez and Eunice Alcala Perales. Engineer: Orive Land Surveying, LLC. Final plat has been presented. There are no drains and no drainage facilities owned by the District in the subject property. The motion was made and seconded that the plat be approved and President Garcia be authorized to sign the plat outside of a District meeting. Following a discussion, the motion unanimously carried.
 - 3.4 A.M. Betancourt Subdivision, being 1.0 acre out of Block 15, San Benito Land & Water Company Subdivision. Final plat not presented. No action.
 - 3.5 Rancho Montegua Subdivision—Guzman & Munoz, being 20.33 acres out of Block 215, San Benito Land & Water Company Subdivision. Final plat not presented. No action.
 - 3.6 Las Villas Del Rio Subdivision, being an 8.3 acre tract out of Block 257, San Benito Land & Water Company Subdivision [Volume 1, Page 25, Map Records]. The District approved the plat in September 2020. The developer planned to drain the subdivision into a road side ditch. East Rio Hondo Water Supply Corporation has refused to approve the plat, citing inadequate drainage of the subdivision. No action.
4. Projects:
 - 4.1 Flood Protection Study-Texas Water Development Board Grant/Hydrologic and Hydraulic Model Update. Waiting on TWDB to approve required paperwork filed in October 2020.
 - 4.2 Projects: Drainage Watershed Study (Town of Combes-Lead Entity). Still waiting on action on grant application. This item will be removed from the Agenda until the status changes.

- 4.3 NRCS Disaster Relief/EWP Grant for Repairs. Grant has been fully funded. Reports and paperwork to finalize the grant are being prepared.
 - 4.4 Drain A Improvements Grant. No change in status. The General Land Office still has not closed out the Grant.
 - 4.5 Receive Reports On Any Other Pending or Proposed Project. None.
5. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
- 5.1 Acciona Energy USA Global LLC: Permit for Wind Farm Development. Finalized in December 2020.
 - 5.2 Drain U: Amendment of License to Allow Second Down Drain for Idea Academy. Finalized in December 2020.
 - 5.3 Treasure Hills Relief Drain: Consider and Take Action on Request of UTRGV for Down Drain in Block 179, San Benito Land & Water Co. Not finalized.
 - 5.4 Drain C/Drain C-Right–License for Down Drain in Block 179, San Benito Land & Water Co. for UTRGV Neuroscience Facility/Building. Manager Lambert and Attorney Dossett reported on the request. The motion was made and seconded that the request for issuance of a license for down drain for the new Neuroscience Facility/Building be granted. Following a discussion, the motion unanimously carried.
 - 5.5 Drain 383: Request of Ciro and Rhonda Garza for Road Crossing. Manager Lambert and Attorney Dossett reported on the request. The motion was made and seconded that a license for road crossing be granted to Ciro and Rhonda Garza. Following a discussion, the motion unanimously carried.
6. Donations.
- 6.1 Drain A-6: Eduardo Cañas and Carlos Leal Offer to Donate 80 Foot Wide Strip of Land Dedicated as "Drain Ditch ROW" on Plat of Cañas Subdivision [Cab. 1, Page/Slot 48-A, Map Records]. Donation has not been finalized.
 - 6.2 U.S. Landman, LP–Offer to Donate Drain for Oak Estates Subdivision in Block 95, Lon C. Hill Subdivision that Discharges into Drain C-Right in Block 189, San Benito Land & Water Company Subdivision. Engineer Brown reported that U.S. Landman wants to donate land in Block 189 within the right-of-way of Drain C/Drain C Right. The Board advised that it is receptive to the donation, but will need more information.
7. Audit. Geary Berkman, CPA has not commenced the audit. It was noted that the Water Code requires the audit to be submitted to TCEQ 135 days after the close of the fiscal year, being on or about February 13, 2021.
8. Reports.
- 8.1 Financial.
 - (a) Financial Report for Month of November 2020. Presented and reviewed.
 - (b) Financial Report for Month of December 2020. Presented and reviewed
 - (c) Investment Report for Fourth Quarter 2020. Submitted and reviewed.
 - 8.2 Manager. The Emergency Paid Sick Leave Act (EPSLA) requirement for employees who contract COVID-19—that employers provide 80 hours of paid sick leave in addition to any existing paid sick leave an employee may have—ended December 31, 2020. Manager Lambert recommended that the District voluntarily continue to provide the 80 hours of sick leave for six more months. Manager Lambert also recommended that the Board take action now instead of waiting until the February

2021 meeting.

The motion was made and seconded that any employee who contracted COVID-19 at the end of December 2020 shall receive the full 80 hours of additional sick leave, even though by law the employee is not eligible for any additional sick leave after December 31, 2020. Following a discussion the motion unanimously carried.

The motion was made and seconded that up to and through June 31, 2021, employees who contract Covid-19 for the first time since March 9, 2020 shall receive 80 hours of paid sick leave in addition to any existing paid sick leave an employee may have. Following a discussion, the motion unanimously carried.

8.3 Attorney. *Cameron County Drainage District No. 3 and Cameron County Irrigation District No. 2, et al. vs. City of San Benito.* No report.

8.4 Engineer. All matters discussed under other Agenda items.

8.5 Drain Supervisor. Report of work accomplished in the months of November and December 2020 presented.

8.6 City of San Benito. No one appeared on behalf of the City.

9. Payment of Accounts, Wages, and Directors' Services.

9.1 The motion was made and seconded that issuance of the following checks between the November 9, 2020 meeting and this meeting be ratified:

13045 : Diamond 8 Industries	USDA NRCS Grant	\$25.00
13046 : Texas Water Conservation Association	Conference	\$225.00
13047 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13048 : First Community Bank	Payroll [11/12/20]	\$31,185.63
13049 : HEB Food Store	Thanksgiving Turkeys	\$1,073.56
13050 : HEB Food Store	Thanksgiving Hams	\$1,000.00
13051 : First Community Bank	Payroll [11/25/20]	\$31,244.91
13052 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13053 : Advance Professional	Machine Repairs	\$347.77
13054 : AFLAC	Insurance	\$713.28
13055 : Alamo Distribution	Safety Supplies	\$286.35
13056 : Allstate Insurance Company	Insurance	\$74.67
13057 : AguaWorks Pipe & Supply	Drain Repairs	\$2,487.00
13058 : AT&T Mobility	Wireless Phone	\$191.85
13059 : Blue Cross & Blue Shield	Health Insurance	\$12,812.46
13060 : Cameron Appraisal District	Quarterly Assessment	\$1,219.50
13061 : Cameron County Irrigation Dist. #2	Reimbursement	\$18,409.24
13062 : Commercial Billing	Machine Repairs	\$934.35
13063 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$77.59
13064 : ESRI, Inc.	ARC GIS	\$3,063.83
13065 : Firestone	Auto Repairs	\$367.08
13066 : First Community Bank	Payroll [12/10/20]	\$35,700.36
13067 : Gateway Printing	Office Supplies	\$26.47
13068 : Gigabit Communications	Uverse/Internet	\$700.00
13069 : Grajale's Tire Shop	Flat Repairs	\$28.00
13070 : H & V Equipment	Machine Repair	\$12,369.54
13071 : Nelda Hernandez	Janitorial	\$275.65
13072 : HEB Food Store	Christmas	\$1,000.00
13073 : Hollon Oil Company	Hydraulic Oil	\$2,010.05
13074 : Holt Company of Texas	Machine Repairs	\$2,178.00
13075 : John Deere & Company	Machine Repair	\$3,763.93
13076 : J & J Tire and Auto	Unit 54 Damage	\$699.99
13077 : Sonia Lambert	Phone Allowance	\$239.63
13078 : Lincoln National Life	Life Insurance	\$226.32
13079 : Matheson Tri-Gas	Acetylene/Oxygen	\$190.06
13080 : Matt's Cash & Carry	Other Repairs	\$10.98
13081 : McCoys Lumber Co.	Machine Repairs	\$90.49
13082 : Nueces Power Equipment	Machine Repair	\$258.95
13083 : Office Depot	Router	\$109.98
13084 : O'Reilly Auto Parts	Machine Repairs	\$1,364.60
13085 : Federico Ortega	Phone Allowance	\$45.00

13086 : Pitney Bowes	Postage Meter Rental	\$178.68
13087 : Rio Grande Concrete	Chains	\$113.84
13088 : Rio Hondo Lumber & Supply	Drain Repairs	\$95.27
13089 : Texas Refinery Corp.	Machine Repair	\$666.30
13090 : Lucinda Trevino	Janitorial	\$275.65
13091 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13092 : Texas Social Security Program	Annual Fee	\$35.00
13093 : UniFirst	Uniforms	\$546.60
13094 : Wilco Life Insurance	Insurance	\$21.67
13095 : Wylie Case	Machine Repairs	\$571.25
13096 : David Ybarra	Janitorial	\$320.65
13097 : HEB Food Store	Christmas	\$999.29
13098 : First Community Bank	Petty Cash	\$432.47
13099 : Dainamik	GPS Monitoring	\$1,050.00
13100 : Office Depot	Office Supplies	\$119.40
13101 : First Community Bank	Petty Cash	\$460.48
13102 : Cameron Appraisal District	Quarterly Assessment	\$10,000.00
13103 : First Community Bank	Payroll [12/24/20]	\$31,267.49
13104 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13105 : First Community Bank	Payroll [01/07/2021]	\$31,288.03
13106 : Texas Child Support SDU	Employee Wage Withholding-Child Support	<u>\$422.77</u>
TOTAL		\$247,582.99

Following a discussion, the motion unanimously carried.

9.2 The motion was made and seconded that the following checks be issued:

13107 : Advance Professional	Auto Repairs	\$178.86
13108 : Alamo Distribution	Safety Supplies	\$307.06
13109 : AT&T Mobility	Wireless Phone	\$191.85
13110 : Blue Cross & Blue Shield	Health Insurance	\$15,044.91
13111 : CCRMA Toll Processing	Toll Fee	\$1.67
13112 : Cameron County Irrigation Dist. #2	Reimbursement	\$9,891.28
13113 : Commercial Billing	Tools	\$8.14
13114 : City of Brownsville	Tire Disposal	\$1,614.00
13115 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$66.13
13116 : Ferguson Waterworks	Air Scrubbers	\$1,342.00
13117 : Gigabit Communications	Uverse/Internet	\$200.00
13118 : H & V Equipment	Machine Repairs	\$3,270.93
13119 : Nelda Hernandez	Janitorial	\$220.52
13120 : Hollon Oil Company	Hydraulic Oil	\$1,599.84
13121 : Holt Company of Texas	Machine Repairs	\$450.00
13122 : John Deere & Company	Machine Repairs	\$1,665.50
13123 : Sonia Lambert	Phone Allowance	\$125.00
13124 : Lincoln National Life	Life Insurance	\$216.48
13125 : MVP Body & Paint	Unit 54 Repair	\$1,750.00
13126 : McCoys Lumber Co.	Other Repairs	\$27.94
13127 : Federico Ortega	Phone Allowance	\$45.00
13128 : Rio Grande Concrete	Drain Repair	\$1.14
13129 : South Texas Bolt & Supply	Machine Repairs	\$21.96
13130 : Texas Comm. on Environmental Quality	Stormwater Permit	\$100.00
13131 : Lucinda Trevino	Janitorial	\$220.52
13132 : Wilco Life Insurance	Insurance	\$21.67
13133 : David Ybarra	Janitorial	<u>\$265.52</u>
TOTAL		\$38,847.92

Following a discussion, the motion unanimously carried.

10. Meetings: Consider and Take Action to End Meetings Conducted by Teleconference. It was noted that this item is on the Agenda because, when the Board decided to conduct meetings by teleconference, it also decided to revisit that decision at the January 2021 meeting. No motion was made to end conducting meetings by teleconference. No action. Meetings shall continue to be held by teleconference until rescinded by the Board or by law.
11. Adjournment. There being no further business, the meeting was adjourned.